

IN THE UNITED STATES DISTRICT COURT  
FOR NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISIONAPRIL AARON-BRUSH and GINGER  
AARON-BRUSH,*Plaintiffs,*

vs.

LUTHER STRANGE in his official capacity as  
Attorney General of Alabama, *et al.*,*Defendants.*

Case No.: 2:14-cv-01091-RDP

**PLAINTIFFS' RENEWED MOTION FOR ATTORNEYS' FEES**

Following the Court's denial of Plaintiff's Motion for Attorneys' Fees (Doc. # 46) and Motion to Extend Time for Appeal (Doc. # 47) – *see* Order, Doc. # 48 – Plaintiffs have decided not to appeal the Court's Order of Dismissal, Doc. # 44. Given this decision, Plaintiffs renew their Motion for Attorneys' Fees. *See* Doc. # 48 at 2 (motion administratively terminated without prejudice and “[t]o the extent appropriate, Plaintiffs may renew their Motion for Attorneys' Fees ...”).

Pursuant to Rule 54 of the Federal Rules of Civil Procedure, 42 U.S.C. § 1983, and 42 U.S.C. § 1988, Plaintiffs hereby move the Court for an award of their attorneys' fees and non-taxable costs in this matter. Plaintiffs fairly estimate that they will seek to recover approximately \$150,000.00 in attorneys' fees and approximately \$606.30 in non-taxable costs they incurred in this case, in addition to time spent seeking the recovery.

Plaintiffs request that pursuant to Fed.R.Civ.P. 42(b), the Court bifurcate briefing the issue of entitlement of fees from the amount of fees. Rule 42(b) gives the Court discretion to bifurcate issues and claims “[f]or convenience, to avoid prejudice, or to expedite and economize.” Fed.R.Civ.P. 42(b). Bifurcation here would satisfy both the convenience and expeditious purposes of the Rule. The Court’s time would be greatly economized because the parties may come to an agreement on the amount of fees should the Court determine that Plaintiffs are entitled to an award of fees.

Plaintiffs’ Memorandum in Support of Entitlement to Attorneys’ Fees, Expenses and Non-Taxable Costs is submitted with this motion.

Respectfully submitted,

s/ Randall C. Marshall

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 4, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record for defendants:

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